

Serial No. 09/543,958  
Reply Filed August 27, 2003

### REMARKS

In response to the Office Action mailed March 27, 2003, and in view of the foregoing amendments and following remarks, reconsideration is requested. Claims 1-23 remain in this application of which claim 1, 8, 20 and 21 are independent. All of the claims have been amended. Entry of these amendments is respectfully requested.

### Claim Numbering

The Office Action asserts that claim 13 was missing. This assertion is incorrect. Original claim 13 was presented on page 26 of the original specification such that the claim number "13" did not appear at the beginning of a line, but rather on the same line after the end of claim 12. The foregoing amendments correct this formatting error. Accordingly, the original claims should not be renumbered 1-22, but should remain 1-23.

### Amendments to the Specification and Drawing

Typographical errors were corrected on pages 9, 10, 16, 17 and 19 of the specification. In Fig. 2, previously omitted reference numerals 10 and 215, and a keyboard, mouse and microphone, and corresponding reference numerals, were added based on the description on page 8, line 15 through page 9, line 7 of the specification. In Fig. 8 a typographical error has been corrected. Entry of these amendments is respectfully requested.

### Rejection Under 35 U.S.C. §103

Claims 1-23, of which claims 1, 8, 20 and 21 are independent, were rejected under 35 U.S.C. §103 in view of U.S. Patent 6,262,724 ("Crow") and U.S. Patent 6,353,461 ("Shore"). The rejection is respectfully traversed.

According to Crow, a player 200 in Fig. 3A "includes a display window 202 for displaying a movie." Col. 8, lines 40-41. A machine readable storage medium 350 in Fig. 14 is provided for "storing executable code and/or other data to provide one or a combination of mechanisms for playback." Col. 6, lines 21-23. Crow is merely a playback system and does not permit the user to perform editing. The Office Action acknowledges that Crow does not teach

Serial No. 09/543,958  
Reply Filed August 27, 2003

the claimed "comment receiver" and that Crow does not teach that the storage medium 350 stores the claimed "comments."

According to Shore, a video assist control system "digitally record[s] and play[s] back scene takes as they are being shot using the cameras' video taps as input sources. . . . [A] database of scene and take information (including comments, action and cutpoints) . . . provide a link to post production which significantly reduces production times" Col. 2, lines 17-24. The database permits access to recordings "for playback review, editing and assembly of recordings or portions thereof." Abstract, lines 13-14. According to Shore,

"[T]he operator may also enter comments (e.g., notes keyed in by the user) related to an overall scene (wherein the comment is associated with all takes within that scene), a particular take, a particular enabled camera . . . , and/or a particular selection within a take. In a preferred embodiment, comments are inserted through operator selection of a "comments" designator 130 that results in the display of a scrollable popup notepad for comment entry - as illustrated in Fig. 5 (as well as Figs. 6 through 10 and 11 through 14 in relation to other screens). Once entered, the system stores the comments, as with other system settings identified herein, in a database for retrieval with associated stored scene/take recordings, or for use as a means for later searching of the database of scene/take recordings."

The Office Action does not assert that Shore teaches anything about the comments being voice comments or about storing data identifying a reviewer along with the comments from the reviewer.

The Office Action asserts that it would have been obvious to combine Shore and Crow "because Shore[s] comment designator would improve the integrity of Crow[s] system by allowing the reviewers/editors to store their suggestions, information or comments related to the each [sic] scene by simply clicking the 'comment' button to take notes, thereby reducing editing times." The Office Action cites, in support of this reason, Shore, col. 2, lines 20-24 (quoted above) and Col. 5, lines 58-67, which states in part "the present video assist control system 65 further provides for instant access and editing at intermediate points within any of the stored recordings retained in the server."

The reliance in the Office Action on Crow is misplaced. Although Shore does state that storing information, including comments, may "significantly reduc[e] production times," Crow is merely a playback system. Crow's playback system does not perform editing, thus the goal of

Serial No. 09/543,958  
Reply Filed August 27, 2003

"reducing editing times" would not have been a motivation for one of ordinary skill in the art to have modified Crow. Accordingly the rejection is traversed.

Notwithstanding the foregoing, even if Crow and Shore would have been combined in the manner suggested by the Examiner, the claims as amended distinguish over any such combination. In particular, Crow does not teach comments. In Shore, comments are stored in association with a take. In contrast, the claims as amended all recite (by virtue of independent claims 1, 8, 20 and 21) that "an indication from a reviewer of a start frame and an end frame of a selected one or more of the plurality of frames" is received (which is not merely a take, as in Shore) and comments are stored "in frame accurate correspondence with the selected one or more of the plurality of frames" to which they pertain.

More particularly, neither Crow nor Shore teaches or suggests permitting an operator to "receiv[e] an indication from a reviewer of a start frame and an end frame of a selected one or more of the plurality of frames," as now recited in all independent claims, *and to:*

to receive a comment "pertaining to the selected one or more of the plurality of frames" and are not "in frame accurate correspondence with the selected one or more of the plurality of frames . . . to which the received comments pertain," as recited in claims 1 and 20; or

to receive a comment "corresponding to the selected one or more of the plurality of frames" and to store such a comment "in frame accurate correspondence with the selected one or more of the plurality of frames . . . to which the received comments correspond," as recited in claim 8; or

to receive a comment "corresponding to the selected one or more of the plurality of frames" and to communicate "the comments of the user, and a frame accurate indication of the selected plurality of frames to which the comments correspond," as recited in claim 21.

Support for the limitations in the amendment are found, inter alia, at page 1, line 4; page 2, line 19; page 21, line 14-page 22, line 5.

Accordingly, the independent claims 1, 8, 20 and 21 are patentably distinguished from Crow as modified by Shore. The remaining claims are dependent claims that are allowable for at least the same reasons.

In addition to the arguments presented above, Claims 4, 6, 16 and 18 were not substantively addressed in the Office Action. The discussion of claims 4-7 on page 4, and claims

Serial No. 09/543,958  
Reply Filed August 27, 2003

16-19 on page 5, of the Office Action only mentions limitations related to claims 7 and 19 (namely, the first and second computer systems) and fails to mention either of the limitations of "a review and approval administration interface for receiving a list of one or more reviewers to provide [said] the comments" (claims 4 and 16), or the comments include "voice comments" (claims 6 and 18). Accordingly, the rejection under 35 U.S.C. §103 of claims 4, 6, 16 and 18 was incomplete under 37 C.F.R. §1.104 and therefore improper.

Regarding claims 7 and 19, Crow teaches first and second computer systems connected by a network, and a player executing on the first computer system. The Office Action fails to indicate how either Crow or Shore teaches or suggests the other specific limitations of claims 7 and 19, namely, that the comment receiver executes on the first computer system and that the storage manager executes on the second computer system. Accordingly, the rejection of claims 7 and 19 is incomplete and therefore improper.

Similarly, the rejection of claims 9-12 is incomplete and therefore improper. The rejection is based on Crow, which the Office Action admits does not teach comments. Crow merely teaches that there is a data file for the media data, which has a frame rate. Therefore, the "data file of . . . comments by the reviewer" as recited in claim 8 and as further qualified by claims 9-12 cannot be taught by Crow. Moreover, the rejection only mentions the limitations that the data file includes a data structure, without mentioning the specific data in that data structure as claimed in claims 9 ("identifying the reviewer and the comment received from the reviewer"), 11 ("identifying the selected one or more of the plurality of frames") and 12 ("indicates that the data file includes the comments of the review and approval system."). Only the limitation of claim 10 ("frame rate") was mentioned; however, because Crow does not teach a data file with comments, Crow certainly cannot teach a data file with comments and data indicating a frame rate. If the intent of the Office Action was to assert that the comments of Shore would be stored in the data file in Crow, no such assertion was made and no motivation for such a combination was provided, and the specific limitations of claims 9-12 were not addressed. Accordingly, the rejection of claims 9-12 is traversed.


Serial No. 09/543,958  
Reply Filed August 27, 2003

### CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to **Deposit Account No. 50-0876**.

Respectfully submitted,

By:   
Peter J. Gordon, Reg. No. 35,164  
Avid Technology, Inc.  
One Park West  
Avid Technology Park  
Tewksbury, Massachusetts 01876  
Tel. No.: 978.640.3011  
Attorney for Applicant  
Date: August 27, 2003

Application Number: 09/543,958  
Reply dated August 27, 2003  
Annotated Sheet 1 of 2

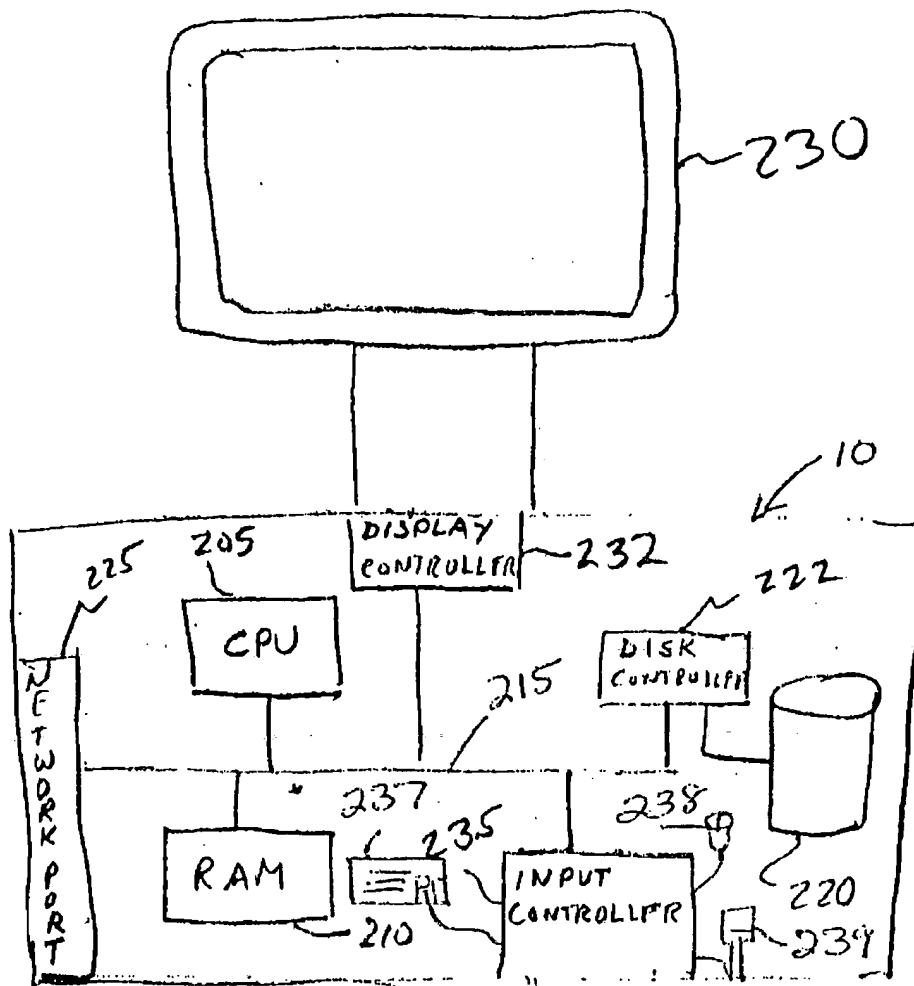


FIG. 2

Application Number: 09/543,958  
Reply dated August 27, 2003  
Annotated Sheet 2 of 2

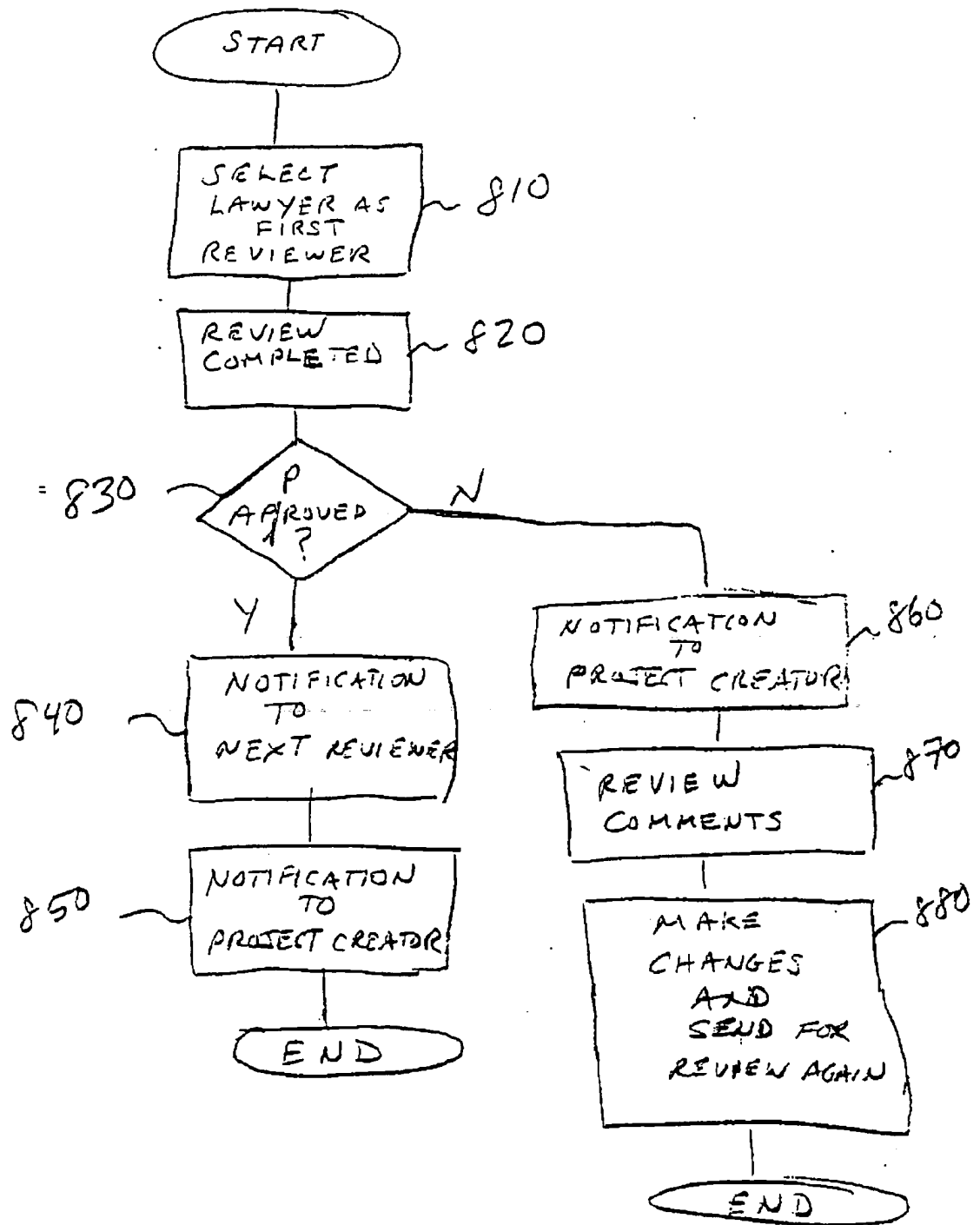


FIG. 8